

FILED



10:58 am, 4/11/24

**Margaret Botkins**  
Clerk of Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

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BCB CHEYENNE LLC d/b/a/ BISON  
BLOCKCHAIN, a Wyoming limited  
liability company,

Plaintiff,

v.

Case No. 23-CV-79-ABJ

MINEONE WYOMING DATA  
CENTER, LLC, a Delaware limited  
liability company; MINEONE  
PARTNERS LLC, a Delaware limited  
liability company; TERRA CRYPTO  
INC., a Delaware corporation; BIT  
ORIGIN, LTD, a Cayman Islands  
company; SONICHASH LLC, a Delaware  
limited liability company; BITMAIN  
TECHNOLOGIES GEORGIA LIMITED,  
a Georgia corporation; and JOHN DOES  
1-18, related persons and companies who  
control or direct some or all of the named  
Defendants,

Defendants.

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**ORDER ON PLAINTIFF'S APPEAL OF MAGISTRATE JUDGE RANKIN'S  
ORDER ON PLAINTIFF'S MOTION TO COMPEL**

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THIS MATTER comes before the Court upon Plaintiff's *Appeal of Magistrate Judge Rankin's Order on Plaintiff's Motion to Compel*, filed on April 10, 2024. ECF No. 155. Plaintiff, BCB Cheyenne LLC d/b/a Bison Blockchain ("Plaintiff"), filed a *Motion to Compel* on February 23, 2024. ECF No. 124. On March 21, 2024, the Court heard


arguments on the *Motion to Compel* and Judge Kelly H. Rankin provided a written ruling on the motion on March 27, 2024. ECF No. 154.

In a unique circumstance, Judge Rankin issued his *Order* on Plaintiff's *Motion to Compel* as a newly confirmed United States District Judge for the United States District Court for the District of Wyoming. Local Rule 74.1 and 28 U.S.C. § 636(b)(1)(A)<sup>1</sup> allow for the reconsideration of a magistrate judge's order. However, Judge Rankin was no longer a magistrate judge when the *Order* was filed in this matter, and the Court is unable to reconsider this ruling pursuant to the standards governing reconsideration of a magistrate judge's order. Plaintiff may refile its appeal of Judge Rankin's *Order* as a motion for reconsideration, and it will be reviewed as such by Judge Rankin.

### CONCLUSION

Based on the foregoing, **IT IS HEREBY ORDERED**, Plaintiff's *Appeal of Magistrate Judge Rankin's Order on Plaintiff's Motion to Compel* (ECF No. 155) is **DENIED** without prejudice. Plaintiff may renew its appeal as a motion for reconsideration before Judge Rankin.

Dated this 11<sup>th</sup> day of April, 2024.

  
 Alan B. Johnson  
 United States District Judge

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<sup>1</sup> “Magistrates may issue orders as to non-dispositive pretrial matters, and district courts review such orders under a ‘clearly erroneous or contrary to law’ standard of review. 28 U.S.C. § 636(b)(1)(A). While magistrates may hear dispositive motions, they may only make proposed findings of fact and recommendations, and district courts must make de novo determinations as to those matters if a party objects to the magistrate's recommendations. *Id.* § 636(b)(1)(B), (C).” *Ocelot Oil Corp. v. Sparrow Indus.*, 847 F.2d 1458, 1461 (10th Cir. 1988).